

ENVIRONMENTAL PROTECTION AG
Region V
Enforcement Division



TELEPHONE MEMO

TO : FRANK HERMAN

DATE: 9-29-80

FROM : BOB LEININGER

TIME: 2:55

SUBJECT: REILLY TAR CASE

He and Tom Berg were asked by the law firm who represents Reilly Tar if they would be willing to talk about the case, so they did so during a two and a half hour lunch last week. Basically, the company stated that it would be willing to pay for a cleanup that would cost a "substantial" amount of money but not a "ridiculous" amount of money. They have had a consultant ^{assessing} ~~assessing~~ the problem for over a year and are interested in talking about an amicable solution to the problem. Tom Berg has spoken to Schwartzbauer, the lead attorney for Reilly, on two occasions ^{by phone} since the first meeting, but Herman isn't sure what was said. In any case, the U.S. Attorney's office is very pleased ~~with~~ with this recent development.

Melanie is going up to Minnesota tomorrow morning, 9-30, to talk with the State technical people. I will fly in in the evening and we will prepare for the meeting which is scheduled for the next day at the U.S. Attorney's office at 10:30. Fred Stiehl and Frank Biros will be there also. The main purpose of the meeting will be to discuss this latest development in the case and decide on how to respond to Reilly's latest posture. There is a possibility that we will meet with Reilly on Thursday, October 1st, in which case no commitments would be made and we would be just seeing what Reilly had to say. Herman stated that this in no way would slow down our proceeding along with the lawsuit unless it became clear that a settlement was imminent.

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cc: Gardebring Bryson Fenner Grimes Schulteis Walker Miner Munro Toepfer